

REMARKS

Claims 1-7 and 9-51 are now pending in the application. Claims 1-7, 9-12, and 25-42 are allowed. Claims 14-18, 22, and 51 stand objected to. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 13, 19-21, and 23-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Elhamid et al. (U.S. Pat. Pub. No. 2005/0106424) in view of Stuhler et al. (U.S. Pat. No. 6,612,385) and further in view of Skala (U.S. Pat. Pub. No. 2005/0158601). This rejection is respectfully traversed.

In rejecting independent claim 13, the Examiner relies upon the Skala reference. The Skala reference, however, appears to only qualify as prior art under 35 U.S.C. § 102(e). The Skala reference, however, is not prior art to the instant application due to being commonly owned at the time of invention of the instant application. Please see Applicants' Statements of Common Ownership below.

With the Skala reference not being prior art, it is respectfully submitted that the instant rejection is now rendered moot. Accordingly, withdrawal of the instant rejection and allowance of claims 13, 19-21, and 23-24 is requested.

Claims 43-50 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Elhamid et al. in view of Stuhler et al. This rejection is respectfully traversed.

In rejecting independent claim 43, the Examiner relies upon the Elhamid et al. reference. The Elhamid et al. reference, however, appears to only qualify as prior art

under 35 U.S.C. § 102(e). The Elhamid et al. reference, however, is not prior art to the instant application due to being commonly owned at the time of invention of the instant application. Please see Applicants' Statements of Common Ownership below.

With the Elhamid et al. reference not being prior art, it is respectfully submitted that the instant rejection is now rendered moot. Accordingly, withdrawal of the instant rejection and allowance of claims 43-50 is requested.

STATEMENTS OF COMMON OWNERSHIP

U.S. Patent Application Serial No. 10/782,520 and U.S. Patent Application Serial No. 10/760,961 were, at the time the invention of U.S. Patent Application Serial No. 10/782,520 was made, owned by General Motors Corporation.

U.S. Patent Application Serial No. 10/782,520 and U.S. Patent Application Serial No. 10/712,133 were, at the time the invention of U.S. Patent Application Serial No. 10/782,520 was made, owned by General Motors Corporation.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 1-7, 9-12, and 25-42 are allowed. The Examiner also states claims 14-18, 22, and 51 would be allowable if rewritten in independent form. The Examiner is respectfully thanked for the indication of the allowability of these claims.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: 
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